

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JFW

In re patent application of:)
 Simon BUCKLEY, et al.) Before the Examiner
 Serial No. 10/662,735) James N. Smalley
 Filed September 15, 2003) Group Art Unit 3727
 CONTAINER CLOSURE) February 16, 2005
 ASSEMBLY WITH SNAP-ON)
 OVERCAP)

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February 16, 2005

(Date of Deposit)

James M. Durlacher

Name of Registered Representative

Signature

February 16, 2005

Date of Signature

RESPONSE TO OFFICE ACTION

Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

Sir:

INTRODUCTORY COMMENTS

In response to the Office Action dated December 7, 2004, please enter the following amendments and remarks in the above-identified patent application.

Please provide any extensions of time which are required and charge any additional fees which may be due or credit any overpayments to Deposit Account No. 23-3030.

02/24/2005 MBERHE 00000016 10662735

01 FC:1201

200.00 DP



WEMMH/SB/21 (4/03)

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/662,735
		Filing Date	September 15, 2003
		First Named Inventor	Simon BUCKELY
		Group Art Unit	3727
		Examiner Name	James N. Smalley
Total Number of Pages in this Submission	15	Attorney Docket Number	1104-762/RKE-077

ENCLOSURES (check all that apply)

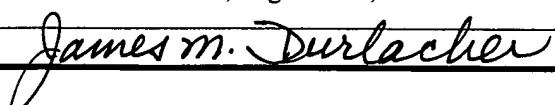
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached see PTO-2038 form	<input type="checkbox"/> Assignment Papers <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> To Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Additional Enclosure (please identify below) <input checked="" type="checkbox"/> Return Receipt Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	James M. Durlacher Woodard, Emhardt, Moriarty, McNett & Henry LLP
Signature	
Date	February 16, 2005

Certificate of Mailing

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Typed or printed name	James M. Durlacher, Reg. No. 28,840		
Signature		Date	February 16, 2005

FEE TRANSMITTAL FOR FY 2005

FEB 2 2005

Effective 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act (H.R. 4818).

 Applicant claims small entity status. See 37 CFR 1.27

Total Amount of Payment (\$ 200.00)

Complete if Known

Application Number	10/662,735
Filing Date	September 15, 2003
First Named Inventor	Simon BUCKLEY
Group Art Unit	3727
Examiner Name	James N. Smalley
Attorney Docket Number	1104-762/RKE-077

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Other None Other (please identify): _____

Deposit Account: Deposit Account Number 23-3030 Deposit Account Name Woodard, Emhardt, Moriarty, McNett & Henry LLP

See PTO 2038 Form

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments Charge any additional fee(s) during the pendency of this application, excluding the payment of issue fees

Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION:

1. BASIC FILING, SEARCH AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	\$ 0
Design	200	100	100	50	130	65	—
Plant	200	100	300	150	160	80	—
Reissue	300	150	500	250	600	300	—
Provisional	200	100	0	0	0	0	—

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent Fee (\$) Small Entity Fee (\$)
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent 50 25
Multiple dependent claims 200 100
360 180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee	Fee Paid (\$)
14	- 20 or HP = 0	x 50	= (\$ 0)			
(HP = highest number of total claims paid for, if greater than 20)						
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)			
					360	\$ 0
4	- 3 or HP = 1	x 200	= (\$ 200)			
(HP = highest number of independent claims paid for, if greater than 3)						

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
-100 = / 50	=	(round up to a whole number) x =	0	Fee Paid (\$)

4. OTHER FEE(S)

Non-English Specification.

Other: _____

SUBMITTED BY:

Name (Print/Type):	James M. Durlacher	Registration No.: (Attorney/Agent)	28,840	Telephone:	(317) 634-3456
Signature:	James M. Durlacher			Date:	February 16, 2005

CERTIFICATE OF MAILING OR TRANSMISSION

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Name (Print/Type):	James M. Durlacher
Signature:	James M. Durlacher